



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.18252 of 2017

and

W.M.P.(MD)Nos.14690 and 19952 of 2017

(*)

**B.RAMU,
S/O.BALAKRISHNAN,
29-30, MELA METTU STREET, KUMBAKONAM,
THANJAVUR DISTRICT.**

... Petitioner

-Vs-

1.The Inspector General of Registration,
Santhome High Road,
Chennai-28.

2.The District Registrar,
The District Registration Office,
Kacherry Road,
Kumbakonam,
Thanjavur District.

3.The Joint Sub-Registrar,
No.1, Joint Sub-Registration Office,
Kumbakonam.

4.Sri Sri 1008 Sathya Athma Theerthar
Uthirathimutt-Trustee,
No.4, Pamba Mahakavi Road,
Basavangudi, Bangalore,
Karnataka State.

(*)

**5 P.PRASANTH RAO,
S/O.R.PRAKASH,
6 P.PRANESH RAO,
S/O.R.PRAKASH,
RR5 & 6 ARE RESIDING AT
NO.H82, HIG BLOCK, FIRST FLOOR,
ELLIS NAGAR, MADURAI - 1.**

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to forbear the respondents 2 and 3 from registering the pending registration No.43 of 2017 with regard to trust nomination deed of the Sri



Lakshmi Narasimma Swamy Private trust and cancel the same based on the petitioner's representation dated 16.08.2017.

For Petitioner : Mr.G.Gomathi Sankar
For R1 to R3 : Mr.M.Rajarajan,
Government Advocate.
For R4 : Mr.P.Thiagarajan
For R5 and R6 : Mr.R.Prakash

ORDER

This writ petition has been filed, seeking a direction to forbear the respondents 2 and 3 from registering the trust deed submitted by the respondents 5 and 6.

2. According to the petitioner, there is a dispute regarding the nomination of trustees to the fourth respondent trust. Earlier, a Division Bench of this Court, by an order dated 17.05.2017 in W.P. (MD)No.9253 of 2017, had directed the first respondent / District Collector to conduct enquiry regarding the nomination alleged have been given by the trustees in favour of the respondents 5 and 6 to register the trust deed. Now, the enquiry is pending. Pending enquiry, the third respondent is taking steps to register the trust deed. Hence, the present writ petition has been filed.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that already the District Collector made a request to the third respondent not to register any trust deed, till the enquiry is completed, and the learned counsel appearing for the petitioner restricted his prayer, as the enquiry is pending, the District Collector may be directed to complete the enquiry, and the learned counsel appearing for the respondents 5 and 6 also agreed for the same.

4. In the above circumstances, the District Collector is directed to complete the enquiry within a period of eight weeks from the date of receipt of a copy of this order, as per the order of Division Bench of this Court and the third respondent is directed not to register any trust deed, till final orders passed by the District Collector.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

(*) AMENDED AS PER LETTER DATED 14.03.2018.

/True Copy/

Sub-Assistant Registrar

To

<https://hcservices.courts.gov.in/hcservices/>

(*) TO BE SUBSTITUTED ORDER ALREADY DESPATCHED ON 05.03.2018.

1. The District Collector, Thanjavur District

2.The Inspector General of Registration,
Santhome High Road, Chennai-28.

3.The District Registrar,
The District Registration Office,
Kacherry Road, Kumbakonam, Thanjavur District.

4.The Joint Sub-Registrar,
No.1, Joint Sub-Registration Office,
Kumbakonam.

+One cc to Mr.P.Thiayagarajan, Advocate, SR.No.51218

+One cc to Mr.G.Gomathi Sankar , Advocate, SR.No.51035

+3 ccs to Mr.R.Prakash, Advocate, SR.No.50887

Myr

RL/10C/2P/KK/SAR2/5/3/2018

W.P (MD) No.18252 of 2017
23.02.2018

MS/SKN-RSK/SAR-4/16.03.2018/3P.10C